



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

May 14, 2010

Mr. Chris White
American Environmental
8500 Georgetown Road
Indianapolis, IN 46268

Dear Mr. White :

Re: NPDES Permit No. ING080065
Former Marathon #91 Service Station
Bloomington, IN, Morgan County

This agency has reviewed your request of February 13, 2009, for voidance of the above-referenced permit. Due to the fact that all groundwater remediation activities are complete, a NPDES permit is no longer required.

Therefore, National Pollutant Discharge Elimination System Permit No. ING080065 issued March 15, 2006 is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within eighteen (18) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this voidance or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room 501
Indianapolis, IN 46204

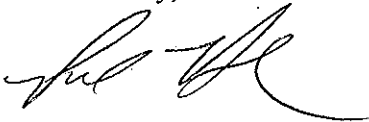
You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

Mr. Chris White

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If you have any questions regarding this matter, please contact Mr. Joe Gwinn at 317/ 233-8769.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul H.", with a stylized flourish extending from the end.

Paul Higginbotham, Chief
Permits Branch
Office of Water Quality

cc: Monroe County Health Department

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 – 5D -GP

DATE OF NOTICE: May 14, 2010

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

TERMINATION

FORMER 37 MARATHON #91 SERVICE STATION, Permit No. ING080065, MONROE COUNTY, Bloomington, IN. This permit is being terminated because the remediation system has been removed from the site.
Permit Writer: Joe Gwinn at 317/233-8769.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



February 13, 2009

Indiana Department of Environmental Management
Office of Water Quality
Industrial NPDES Permits Section
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Hand Delivered to IDEM

Re: Request for Cancellation of NPDES permit
NPDES Permit Number: ING080065
Former 37 Marathon #91 Service Station
5245 Old State Road 37; Bloomington, IN
IDEM Incident No.: 9606175
Facility ID No.: 19889

Dear Sir / Madam:

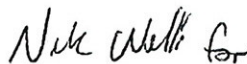
This letter is being submitted to inform you of the current status of the Former 37 Marathon #91 in Bloomington, Indiana. The renewal NPDES permit (ING080065) was issued for the remediation system on May 1, 2006.


Mr. Doug Bartz, a project manager for the IDEM Leaking Underground Storage Tank (LUST) Section, requested the groundwater remediation system be removed from the site. The remediation system has not been in operation since American Environmental took over the project in September 2004. The remediation system has been removed from the site. The electrical power and meter to the remediation system has been disconnected. American Environmental is currently performing groundwater monitoring at the site.

At this time, American Environmental requests the cancellation of the NPDES permit ING080065.

Should you have any questions or need further information, please call us at (317) 871-4090.

Sincerely,
AMERICAN ENVIRONMENTAL CORPORATION


Kimberly A. Jurczak, P.E.
Project Engineer


Chris White
Sr. Project Manager

Corporate Office

8500 Georgetown Road
Indianapolis, IN 46268
Phone: (317) 871-4090
Fax: (317) 871-4094

Regional Office

3700 W Grand Ave. Ste. A
Springfield, IL 62711
217-585-9517
217-585-9518 Fax

Regional Office

410 Production Court
Louisville, KY 40299
502-491-0144
502-491-9271 Fax

Regional Office

4305 Muhlauser Road, Suite 3
Cincinnati, OH 45014
513-874-7740
513-874-7756 Fax



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January 19, 2010

Re: Missing 2009 Discharge Monitoring Reports
Kiel Brothers
NPDES Permit # ING080065
Monroe County

Dear Sir/Madam:

A review of your wastewater treatment facility's monthly report file for Federal Fiscal Year 2009 (October 2008 through September 2009) has revealed that the Discharge Monitoring Reports (DMRs) and Monthly Report of Operation (MROs) or Monthly Monitoring Report (MMRs) for the monitoring periods listed below are missing:

Monitoring Period 7/1/09 to 7/31/09; Permitted Feature 001A
Monitoring Period 8/1/09 to 8/31/09; Permitted Feature 001A
Monitoring Period 9/1/09 to 9/30/09; Permitted Feature 001A

Within ten (10) days of receipt of this letter, please fax a signed copy of the missing DMRs and MRO/MMRs to my attention at (317) 232-8637. Alternatively, you may e-mail a copy to ddubenet@idem.in.gov. We will then make sure this information is expeditiously entered in to the federal database so that your facility will be removed from the significant noncompliance listing. We are currently under an early February deadline by the United States Environmental Protection Agency to account for these missing documents before the information is displayed on the public federal Enforcement and Compliance History Online (ECHO) website.

We apologize if you have submitted these items to the Office of Water Quality in the past and for whatever reasons they were lost or misplaced in transmission or handling. However, we do need you to resubmit these documents so an accurate compliance status is represented in the public database in early March 2010.

Thank you for your attention to this matter. If you have any questions, you may contact me at (317) 233-5963 or by e-mail at ddubenet@idem.IN.gov.

Sincerely,

Debra Dubenetzky, Chief
Compliance Branch
Office of Water Quality



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April 7, 2010

VIA CERTIFIED MAIL 91 7190 0005 2710 0003 6988

Gregory J. Cobb
Kiel Brothers Oil Company
c/o American Environmental
8500 Georgetown Road
Indianapolis, IN 46268

Re: Violation Letter/Report Non-submittal
Kiel Brothers Oil Company
NPDES Permit # ING080065
Monroe County

Dear Mr. Cobb:

As required by general permit rule 327 IAC 15-10, Kiel Brothers, Inc. must complete and submit Discharge Monitoring Reports (DMRs) and Monthly Monitoring Reports (MMRs) to the Indiana Department of Environmental Management (IDEM). This is to inform you that as of March 30, 2010, our office has not received the following DMRs and MMRs:

Monitoring Period End Date

7/31/09, groundwater remediation

8/31/09

9/30/09

10/31/09

11/30/09

12/31/09

Therefore, you are in violation of 327 IAC 15-10.

Within ten (10) days of receipt of this letter, you must submit the above listed DMRs and MMRs to IDEM, along with an explanation as to why the monitoring reports have not been submitted in a timely manner and how this violation will be prevented in the future. Please send your response, along with the reports, to the address above, Attn: *Debra Dubenetzky*, Mail Code 65-42, Office of Water Quality Compliance. Failure to submit the required information may result in a referral to the Office of Water Quality Enforcement Section.

Thank you for your attention to this matter. If you have any questions, please contact me by phone at (317) 233-5963 or by e-mail at ddubenet@idem.in.gov.

Sincerely,

Debra Dubenetzky, Chief
Compliance Branch
Office of Water Quality

